

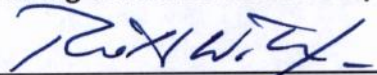


To the Honorable Council
City of Norfolk, Virginia

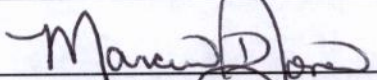
May 19, 2015

From: George M. Homewood, AICP, CFM, Planning Director

Subject: **Zoning Text Amendment to permit Adult Day Care within C-3 (Retail Center) District**

Reviewed: 
Ronald H. Williams, Jr., Deputy City Manager

Ward/Superward: Citywide

Approved: 
Marcus D. Jones, City Manager

Item Number: **PH-6**

- I. **Staff Recommendation:** Approval
- II. **Commission Action:** By a vote of **7 to 0**, the Planning Commission recommends **Approval**
- III. **Request:** Zoning Text Amendment to permit Adult Day Care within the C-3 zoning district
- IV. **Applicant:** City Planning Commission on behalf of a request by Sentara Healthcare
- V. **Description:**
 - Sentara Healthcare through its Sentara PACE (Program of All-inclusive Care for the Elderly) operates Adult Day Care facilities in Chesapeake and Virginia Beach in shopping centers.
 - Currently the *Norfolk Zoning Ordinance* allows these facilities in the C-1 (Limited Commercial) and C-2 (Corridor Commercial) districts but not in the C-3 (Retail Center) district.
 - Child Day Care Facilities are currently allowed in all three commercial districts.
 - Sentara has requested that the Planning Commission consider amending the *Zoning Ordinance* to allow Adult Day Care as a permitted use in the C-3 zoning district.

Staff point of contact: Lenny Newcomb, CFM at 664-4764, lenny.newcomb@norfolk.gov

Attachments:

- Staff Report to CPC dated April 23, 2015 with attachments
- Proponents and Opponents
- Ordinance



Planning Commission Public Hearing: **April 23, 2015**

Executive Secretary: George M. Homewood, AICP, CFM

Staff: Lenny Newcomb, CFM

Staff Report		Item No. 2
Applicant	City Planning Commission	
Request	Zoning Text Amendment	Amend Table 6A, "Table of Land Uses", Chapter 6 (Commercial Districts) to permit Adult Day Care facilities in the C-3 (Retail Center) District

A. Summary of Request

- Sentara Healthcare through its Sentara PACE (Program of All-inclusive Care for the Elderly) operates Adult Day Care facilities in Chesapeake and Virginia Beach in shopping centers.
- Currently the *Norfolk Zoning Ordinance* allows these facilities in the C-1 (Limited Commercial) and C-2 (Corridor Commercial) districts but not in the C-3 (Retail Center) district.
- Child Day Care Facilities are currently allowed in all three commercial districts.
- Sentara has requested that the Planning Commission consider amending the *Zoning Ordinance* to allow Adult Day Care as a permitted use in the C-3 zoning district.

B. Plan Consistency

The proposed zoning text amendments are consistent with *plaNorfolk2030*, which supports modifications to support business investment.

C. Zoning Analysis

i. General

- Adult Day Care facilities provide services such mild recreation activities, mentally stimulating interaction, light meals, rehabilitation and medical services, and assistance with daily medications.
- There are no overnight stays.
- Shopping centers are currently attracting more diverse uses than in previously times.
- Given the size of shopping centers located in the C-3 district, Adult Day Care facilities would be compatible uses with the other commercial uses allowed.

ii. Parking

- Adult Day Care facilities would not require any additional parking than the other commercial use allowed in the C-3 districts.

D. Transportation Impacts

Adult Day Care facilities would not create any additional traffic levels than those created by the other uses allowed in the C-3 district.

E. Impact on the Environment

The operation of an Adult Day Care facility in a shopping center would not create any adverse impacts upon the environment.

F. Impact on Surrounding Area/Site

The operation of an Adult Day Care facility in a shopping center should not have an impact on the surrounding area.

G. Communication Outreach/Notification

Legal notification was placed in *The Virginian-Pilot* on April 9 and 16.

H. Recommendation

Staff recommends that the zoning text amendment be **approved**.

Attachments:

Proposed Table of Commercial Land Uses

Proponents and Opponents

Proponents

None

Opponents

None

Form and Correctness Approved:

By


Office of the City Attorney

NORFOLK, VIRGINIA

Contents Approved:

By


DEPT.

ORDINANCE No.

AN ORDINANCE TO AMEND AND REORDAIN TABLE 6-A OF THE ZONING ORDINANCE OF THE CITY OF NORFOLK, 1992, IN ORDER TO ALLOW "DAY CARE CENTER, ADULT" AS A PERMITTED USE IN THE C-3 (RETAIL CENTER COMMERCIAL) DISTRICT.

- - -

BE IT ORDAINED by the Council of the City of Norfolk:

Section 1:- That table 6-A of the Zoning Ordinance of the City of Norfolk, 1992 (as amended), entitled "Table of Land Uses," is hereby amended and reordained so as to allow "Day Care Center, Adult" as a permitted use in the C-3 (Retail Center Commercial) District. The table shall read as set forth in "Exhibit A," attached hereto.

Section 2:- The Council hereby finds that this zoning amendment is required by public necessity, convenience, general welfare, or good zoning practice.

Section 3:- That this ordinance shall be in effect from the date of its adoption.

ATTACHMENT:

Exhibit A (4 pages)

EXHIBIT A

**COMMERCIAL DISTRICTS
TABLE 6-A – TABLE OF LAND USES**

LAND USES	DISTRICTS				COMMENTS
	C-1	C-2	C-3	C-4	
P = Permitted Use S = Special Exception Use					
RESIDENTIAL USES					
Mixed Uses	S	S			
OFFICE USES					
Laboratory		P			
Office	P	P	P		
Office, Contractor (no exterior storage)		P	P		
Office/Clinic, Medical		P	P		
Office, Veterinary		P	P		
COMMERCIAL USES					
Adult Movie Theater		S			Subject to the requirements of §25-10.1, Adult uses
Adult Novelty Store		S			Subject to the requirements of §25-10.1, Adult uses
After Hours Membership Organization		S	S		
Antique Store	P	P	P		
Art Gallery	P	P	P		
Auction House		P			
Automobile and Truck Rental		P		P	
Automobile and Truck Repair		S	S	P	Subject to the requirements of §25-10.3, Automobile repair and gas station
Automobile Sales and Service		S		P	Subject to the requirements of §25-10.7, Automobile sales and service
Boat Sales and Service		P		P	
Brewpub		S	S		
Car Wash		S		S	

LAND USES	DISTRICTS				COMMENTS
	C-1	C-2	C-3	C-4	
P = Permitted Use S = Special Exception Use					
Check Cashing Establishment		S			
Commercial Drive-Through	S	S	S	S	Subject to the requirements of §25-10.8, Commercial drive-through facility
Convenience Store, 24-Hours (no fuel sales)	S	S	S		
Convenience Store, 24-Hours (with fuel sales)	S	S	S		Subject to the requirements of §25-10.3, Automobile repair and gas station. Subject to the requirements of §13-6.6 Motor fuel pumps, islands and curbs.
Eating Establishment	P	P	P	P	
Eating and Drinking Establishment	S	S	S	S	Subject to the requirements of §25-10.1, Adult uses
Entertainment Establishment	S	S	S	S	Subject to the requirements of §25-10.1, Adult uses
Farmer's Market		P		P	
Financial Institutions	P	P	P		
Flea Market, Indoor		S		S	
Flea Market, Outdoor				S	
Funeral Home		P			
Gas Station	S	S	S		Subject to the requirements of §25-10.3, Automobile repair and gas station. Subject to the requirements of §13-6.6 Motor fuel pumps, islands and curbs.
Health and Fitness Facility	P	P	P		
Hotel/Motel		P	P		Subject to the permit requirements of Norfolk City Code chapter 22, article II (§ 22-27 et seq.)
Kennel (with outdoor area)		S	S		Subject to the requirements of § 25-10.11, Kennel (with outdoor area)
Kennel (with no outdoor area)		S	S		
Marina (without boat repair)		P			
Mini-Warehouse		P	S	P	

LAND USES	DISTRICTS				COMMENTS
	C-1	C-2	C-3	C-4	
P = Permitted Use S = Special Exception Use					
Pawnshop		S			
Payday Loan-Auto Title Loan Establishment		S			
Personal Watercraft Rental		S			Subject to the requirements of § 25-10.6, Rental of personal watercraft
Recreation Center, Commercial		S	S		
Recreational Sports, Indoor		P	P		
Recreational Sports, Outdoor		S	S	P	
Retail Goods Establishment	P	P	P		
Retail Goods Establishment (operating after midnight)	S	S	S		
Retail Services Establishment	P	P	P		
Retail Services Establishment (operating after midnight)	S	S	S		
Sale of Alcoholic Beverages for Off-Premises Consumption	S	S	S		Subject to the requirements of §25-10.1, Adult uses
Sale of Distilled Spirits		S	S		Subject to the requirements of §25-10.1, Adult uses
Studio, Arts	P	P	P		
Studio, Dance	P	P	P		
Theater		P	P		
Therapeutic Massage Facility		P			
Used Books/Media Sales		P	P		
Used Merchandise Sales		S	S		
Vendor		P	P	P	Subject to the requirements of City Code § 42 – Article I-A
PUBLIC AND CIVIC USES (Sites < 1 Acre)					
Amphitheater, Arena, Stadium				S	
Broadcast Studio		P	P		
Communication Tower (commercial)	S	S	S	S	Subject to the requirements of §25-10.5, Communication towers
Day Care Center, Adult	P	P	P		
Day Care Center, Child	P	P	P		

LAND USES	DISTRICTS				COMMENTS
	C-1	C-2	C-3	C-4	
P = Permitted Use S = Special Exception Use					
Educational Facility, Professional and Vocational		P			
Governmental Operations (non-industrial)	P	P	P	P	
Hiring Hall		P			
Membership Organization	P	P	P	P	
Museum	P	P			
Utility Facility	P	P	P	P	
Religious Institution	P	P	P	P	
Yacht Club, Country Club		P			
INDUSTRIAL USES					
Boat Dry Storage Facility		S			
Recycling Collection Station		P	P		
Microbrewery		S	S		